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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/529,912	06/01/2005	Didier Lacroix	Q87264	5416

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EXAMINER	
MEHRPOUR, NAGHMEH	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
10/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/529,912	**Applicant(s)** LACROIX ET AL.	
	Examiner Naghmeh Mehrpour	**Art Unit** 2617	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 30 July 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: 1-13.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: please see the attachment.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

NAGHMEH MEHRPOUR
PRIMARY EXAMINER

Response to Arguments

1. Applicant's arguments filed 7/30/07 have been fully considered but they are not persuasive.

In response to the applicant's argument that "Buskens does not to teach *"suspending the radio link and attempting to reactive the radio link for a predetermined time internal"*.

The Examiner asserts that Buskens teaches actively attempting call reconnection for a specified time period and performing call release procedures if the reconnection attempts fail. The call disconnect is defined as the point at which loss of synchronization would ordinarily cause a call to be released. A base station establishes a reconnection channel for interaction with mobile terminals equipped with a reconnection Processor. Upon detection of disconnect, the base station attempts to establish ne air traffic channels interconnecting the mobile terminal. The reconnection attempts are made by the base station for a specified time period. The reconnection channel serves as a broadcast means via which the mobile terminal and the base station interact to attempt reconnection. In the event that reconnection is unsuccessful, wired network call resources associated with the existing call are released. A base station selectively reinitiates a reconnection process upon expiration of a resynchronization timer. The reconnection process requires the base station to hold wired call resources while it attempts to reestablish the call to the mobile terminal. If the call attempt is successful, the base station establishes new air traffic channels to bridge the wired network call resources with the new air traffic channels so that the call may continue. The reconnection attempt is made for a predetermined number of tries

before the base station abandons call reconnect efforts and releases call resources. Upon release of call resources, a call release message indicating abnormal release is transmitted to a mobile switching center. A mobile switching center includes a reconnection timer for establishing a predetermined time period during which the mobile switching center actively attempts to reconnect calls which have been requested to be disconnected by a base station. During reconnection efforts, the mobile switching center holds call resources unaffected by the loss of synchronization. If reconnection attempts are unsuccessful, all call resources are released. If reconnection attempts are successful, the unaffected call resources are bridged with new call resources established as a result of the successful reconnect by the mobile switching center.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Buskens teaches/method Apparatus for managing radio links between at least one mobile station (MS-i) and a radio network controller (BSCn) of a radio access network (RAN) of a communications network, the apparatus comprising: detecting whether a radio link interruption occurs which prevents the mobile station and the radio network controller

from communicating with each other via a radio link (col 4 lines 12-30); and in the event of such an interruption being detected, to order said radio network controller (BSCn) to suspend said radio link between the mobile station and the access network suspending and attempting to reactivate a radio link for a predetermined time interval; and (col 4 lines 30-50); and if the radio link is not reactivated within the predetermined time interval, determining that the interruption is permanent (col 6 lines 29-50). Buskens fails to teach a method/apparatus wherein the same radio channel is reactivated. However, Moulsey teaches a method/apparatus wherein the same radio channel is reactivated. Therefore, by combing the above teaching with Buskens, reducing the excessive overhead that control channels represent on a data channel using a small proportion of the available channel capacity.

October 10, 2007

NM

NAGHMEH MEHRPOUR
PRIMARY EXAMINER